

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

ICE MILLER LLP

Louis T. DeLucia

Alyson M. Fiedler

1500 Broadway, Suite 2900

New York, NY 10036

Phone: (212) 835-6312

louis.delucia@icemiller.com

alyson.fiedler@icemiller.com

Aneca E. Lasley (admitted pro hac vice)

John C. Cannizzaro (admitted pro hac vice)

Erica L. Arras (admitted pro hac vice)

250 West Street, Suite 700

Columbus, Ohio 43215

Phone: (614) 462-1085

aneca.lasley@icemiller.com

erica.arras@icemiller.com

*Counsel to AIRN Liquidation Trust Co., LLC,
in its capacity as Liquidation Trustee of the
AIRN Liquidation Trust.*

In re:

NATIONAL REALTY INVESTMENT
ADVISORS, LLC,

Debtors.

AIRN LIQUIDATION TRUST CO., LLC, in
its capacity as Liquidation Trustee of the
AIRN LIQUIDATION TRUST,

Plaintiff,

v.

MEDIA EFFECTIVE LLC, *et al.*,

Defendants.

Chapter 11

Case No: 22-14539-JKS

(Jointly Administered)

Adv. Pro. No. 23-1335-JKS

**JOINT NOTICE OF FILING
PRELIMINARY INJUNCTION HEARING EXHIBITS**

Now come AIRN Liquidation Trust Co., LLC, in its capacity as Liquidation Trustee of the AIRN Liquidation Trust (the “Liquidation Trustee,” “Trustee,” or “Plaintiff”), appointed pursuant to the *First Amended Joint Chapter 11 Plan of Liquidation of National Realty Investment Advisors, LLC and its Affiliated Debtors* (as amended and supplemented, the “Plan”) [Case No. 22-14539, Docket No. 3256] and the order confirming the Plan [Case No. 22-14539, Docket No. 3599] (the “Confirmation Order”), that has been assigned and, as of the Effective Date of the Plan, holds the claims of Contributing Investors (as that term is defined in the Plan), by and through its undersigned counsel, and Media Effective, LLC (“Media Effective”), Javier Torres (“Torres”), Dora Dillman, Javier Torres, Jr., Natalia Torres, and Paulina Torres (collectively, the “Torres Defendants”) (together with the Liquidation Trustee, the “Parties”), by and through their undersigned counsel, and hereby jointly file the below exhibits used by the Parties at the Preliminary Injunction Hearing before the this Court on April 10, 2024, May 17, 2024, May 20, 2024, and June 21, 2024 to be admitted into evidence.

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
1	W. Waldie Dec.	Javier Torres LinkedIn
2	W. Waldie Dec.	Media Effective Website
5	W. Waldie Direct Examination, Lasley (5.17.24)	AIRN Liquidation Trust, Media Effective and Torres Account List
7	W. Waldie Dec. W. Waldie Direct Examination, Lasley (5.17.24) W. Waldie Re-Direct Examination, Lasley (5.20.24) J. Torres Cross Examination, Lasley (6.21.24)	Media Effective (TD x0941 and TD x5466) – Summary of Activity by Year
8	W. Waldie Dec. W. Waldie Direct Examination, Lasley (5.17.24)	Javier Torres (TD x1798, TD x1146, TD x5197, TD x7317) and Socios and Partners (TD x7948) – Summary of Activity by Year
9	W. Waldie Dec. W. Waldie Direct Examination, Lasley (5.17.24)	Javier Torres and Media Effective Transfers to Investment Accounts
10	W. Waldie Dec. W. Waldie Direct Examination, Lasley (5.17.24)	Daily Cash Balances – Impact of Investor Contributions, January 1, 2016 to June 30, 2022
18	J. Torres Direct Examination, Lasley (4.10.24)	Email chain between Nicholas Salzano, CDillman, Rey Grabato, Tina Colombo, and Javier Torres re Logs WABC-FM for Wednesday 08/22/2012
19	J. Torres Direct Examination, Lasley (4.10.24)	Email chain between John M. Farina, Nicholas Salzano, Dustin, James Doolittle, Kelly Ralabate, Javier Torres and Bethany Salzano re Edits and 30 seconds TV videos
20	A. Solk Dec. J. Torres Direct Examination, Lasley (4.10.24) J. Torres Re-Direct Examination, Lasley (5.17.24)	Email from Javier Torres to Nicholas Salzano RE: CNBC Radio

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
	W. Waldie Direct Examination, Lasley (5.20.24) A. Solk Direct Examination, Arras (5.20.24) A. Solk Cross Examination, George (5.20.24) A. Solk Re-Direct Examination, Arras (5.20.24)	
21	J. Torres Direct Examination, Lasley (4.10.24)	Javier sends Bergen St. investor project materials to "edmendezc@yahoo.com"
24	W. Waldie Dec.	TD Bank Statement Account No. 0941 of Media Effective, Transfer to Natalia Torres
25	W. Waldie Dec.	Evidence of Check No. 377 from Media Effective to Natalia Torres in the amount of \$125,000 (TD Bank Account No. 0941)
30	W. Waldie Dec. A. Solk Dec. J. Torres Direct Examination, Lasley (5.17.24)	Hybrid May invoice and back-up
33	J. Torres Direct Examination, Lasley (5.17.24) J. Torres Cross Examination, Lasley (6.21.24) W. Waldie Direct Examination, Lasley (5.20.24) W. Waldie Cross Examination, George (5.20.24) E. Arend Cross Examination, Arras (6.21.24) E. Arend Re-direct Examination, George (6.21.24)	Email chain between Patryk Golaszewski, Javier Torres, and Nicholas Salzano re TV Stations Direct Contacts
34	J. Torres Direct Examination, Lasley (4.10.24)	Email chain between Renascent Enterprises, Nicholas Salzano, Natalie Petruic, Javier Torres and Patryk Golaszewski re Invoice 1354 from Renascent Enterprises, Inc.

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
35	W. Waldie Dec. A. Solk Dec.	Hybrid October invoice and back-up
36	J. Torres Direct Examination, Lasley (4.10.24)	Email and attachments re Podcasts Info. For advertising from Nicholas Salzano to Javier Torres
37	W. Waldie Dec.	TD Bank Statement Account No. 5466 of Media Effective LLC, Tesla Transaction
38	W. Waldie Dec. A. Solk Dec.	Email chain between Nicholas Salzano, Javier Torres, and Patryk Golaszewski re Re-Recording Needed ASAP
39	J. Torres Direct Examination, Lasley (4.10.24)	Email from Vicente M. Scutaro to upremdoc, cc'd Nicholas Salzano, Javier Torres, and Art Scutaro re NRIA Meeting to Discuss Investment with Spanish Interpreter
40	J. Torres Direct Examination, Lasley (4.10.24)	Email chain between HubSpot Forms, Nicholas Salzano, Javier Torres, Vincent Scutaro and Art Scutaro re Request for Spanish Speaker at our Meeting with Dr. Ramon
41	W. Waldie Re-Direct Examination, Lasley (5.20.24)	Email from Nicholas Salzano to Robert Valencia, Stefano D'Urso, Rey Grabato, and Jack Gutierrez dated February 14, 2020 re: W9 – Media Effective LLC – 1099 needed
44	W. Waldie Dec. A. Solk Dec.	Email chain between Nicholas Salzano, Javier Torres, and Patryk Golaszewski re rush record for internal file in internal testing
46	J. Torres Direct Examination, Lasley (4.10.24)	Email from Javier Torres re CNN cancellation of airing advertisement
48	A. Solk Dec. J. Torres Direct Examination, Lasley (4.10.24) A. Solk Direct Examination, Arras (5.20.24)	Email chain between Javier Torres, Nicholas Salzano, Patryk Golaszewski, Kyle Stafirny, Katey Kana, and Glenn La Mattina re CNBC National Run in the fall

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
49	A. Solk Dec. J. Torres Direct Examination, Lasley (4.10.24) A. Solk Direct Examination, Arras (5.20.24)	Tom at Emerging Networks asking if he can contact Nick directly due to mutual friend relationship – Javier says no to tell his friend that Tom works with Javier.
52	W. Waldie Dec.	TD Bank Statement Account No. 5466 of Media Effective LLC, Tesla Transaction
54	A. Solk Dec.	Email chain between Javier Torres, Katey Kana, and Patryk Golaszewski re Lou Dobbs Script #3
55	W. Waldie Dec. A. Solk Dec. A. Solk Direct Examination, Arras (5.20.24) A. Solk Cross Examination, George (5.20.24)	Email from Javier Torres to Katey Kara, and Patryk Golaszewski re Lou Dobbs Recording for Approval to start 2.1
56	J. Torres Direct Examination, Lasley (4.10.24) J. Torres Cross Examination, Lasley (6.21.24)	Email from Javier Torres to Katey Kana, and Patryk Golaszewski re Lou Dobbs Recording for Approval to start 2.1
57	W. Waldie Dec. A. Solk Dec.	Torres forwards Hybrid an email from client explaining NRIA's "up to 10% language"
59	J. Torres Direct Examination, Lasley (4.10.24, 5.17.24)	Email re all advertising details, assets and collateral from Javier Torres to Katey Kana
60	W. Waldie Dec. A. Solk Dec.	Hybrid March invoice and back-up
66	A. Solk Dec.	Media Effective/Media Insertion Invoice # NRIARAD0174-2021
67	W. Waldie Dec. A. Solk Dec. P. Golaszewski Dec. J. Torres Direct Examination, Lasley (5.17.24)	Email chain re Patryk Golaszewski, Javier Torres, John Collins, AJ Scutaro, Kyle Stafirny, and Rey Grabato re Invoices

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
	E. Arend Cross Examination, Lasley (4.10.24) W. Waldie Direct Examination, Lasley (5.20.24) P. Golaszewski Direct Examination, Lasley (5.20.24)	
69	E. Arend Cross Examination, Lasley (4.10.24) J. Torres Direct Examination, Lasley (5.17.24)	Email chain between Javier Torres, Patryk Golaszewski, Kyle Stafirny, Rey Grabato, Jovic Cobarrubias, and Natalie Petruic re Invoices Week of 11/1
70	A. Solk Dec. E. Arend Cross Examination, Lasley (4.10.24) A. Solk Cross Examination, George (5.20.24)	Media Effective/Media Insertion Radio Invoice No.'s NRIARAD0176-2021 - NRIARAD0179-2021 with proof of payment
71	A. Solk Dec. E. Arend Cross Examination, Lasley (4.10.24) J. Torres Direct Examination, Lasley (5.17.24) J. Torres Cross Examination, George (5.17.24) W. Waldie Direct Examination, Lasley (5.20.24) P. Golaszewski Direct Examination, Lasley (5.20.24)	Media Effective/Media Insertion TV Invoice No.'s NRIAFOXNEWS024-2021 - NRIAFOXNEWS027 & NRIAFOXBUSTV075-2021 - NRIAFOXBUSTV078 with proof of payment
72	J. Torres Direct Examination, Lasley (5.17.24)	Hybrid Media Services, Invoice No. 18236, paid on 1/14/2022; Hybrid Media Services, Invoice No. 18236, paid on 1/13/2022
73	A. Solk Dec.	Hybrid Media Services, Invoice No. 18175, paid on 12/23/2021
74	A. Solk Dec. E. Arend Cross Examination, Lasley (4.10.24)	Back-up to Hybrid invoice dated 11/28/2021

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
	J. Torres Direct Examination, Lasley (5.17.24)	
75	A. Solk Dec.	Hybrid Media Services, Invoice No. 18236, paid on 1/14/2022
79	J. Torres Direct Examination, Lasley (5.17.24)	Email chain between Javier Torres, Patryk Golaszewski, Kyle Stafirny, Rey Grabato, Natalie Petruic, and Jovic Cobarrubias re Invoices Week of 1/17/22
92	W. Waldie Dec.	First Amended Verified Complaint
93	A. Solk Dec.	Answer to Defendants with Affirmative Defenses to First Amended Complaint
94	A. Solk Dec.	IAB: A Digital Audio Buyer's Guide
95	W. Waldie Dec.	Bergen County Clerk's Office Trade Name Registration
96	W. Waldie Dec.	Certificate of Formation Media Effective LLC
97	W. Waldie Dec.	Summary Transfers to Englewood Spanish Church from Media Effective LLC
98	W. Waldie Dec.	Bank of America statements account ending x0018 from 10/01/2022-10/31/2022 and 11/01/2022-11/30/2022
99	W. Waldie Dec.	TDBank Statements, Media Effective x5466 and x0941
100	W. Waldie Dec. A. Solk Dec. J. Torres Re-Direct Examination, Lasley (5.17.24)	Email from Javier Torres to Katey Kana cc Nicholas Salzano re confidential discussion just us : scary times
101	A. Solk Dec.	Angela Solk LinkedIn Profile

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
105	J. Torres Direct Examination, Lasley (4.10.24)	Email from Graham Keenan to Javier Torres re Can you check this email before i sent? Add/correct or ideas?
106	J. Torres Direct Examination, Lasley (5.17.24) E. Arend Direct Examination, George (4.10.24) W. Waldie Direct Examination, Lasley (5.20.24)	Email from Graham Keenan to Javier Torres re LWD billing
110	J. Torres Direct Examination, Lasley (4.10.24) A. Solk Direct Examination, Arras (5.20.24) A. Solk Cross Examination, George (5.20.24)	Email from Javier Torres to Jessica Davis, cc Graham Keenan and Rachel Kaploqitz re CNN / spot approval
112	J. Torres Direct Examination, Lasley (4.10.24)	Email from Graham Keenan to Javier Torres re Podcasts Info
113	J. Torres Direct Examination, Lasley (4.10.24)	Email from Glenn La Mattina to Javier Torres re removing Salzano from email chain
114	J. Torres Direct Examination, Lasley (4.10.24)	Three articles re Salzano dates March 6, 2021, April 26, 2021, and December 6, 2021
115	W. Waldie Direct Examination, Lasley (5.20.24) W. Waldie Re-Direct Examination, Lasley (5.20.24)	Media Effective Mark-Up Analysis (Three Scenarios)
116	W. Waldie Direct Examination, Lasley (5.20.24)	Media Effective: Radio and TV Mark-Up Analysis Summary
117	W. Waldie Direct Examination, Lasley (5.20.24)	Media Effective: Radio and TV Mark-Up Analysis
123	J. Torres Direct Examination, Lasley (5.17.24)	Western-Southern Life assurance Company/Fidelity Application

<i>Index of Plaintiff's Exhibits</i>		
Exhibit No.	Authentication	Description
	J. Torres Cross Examination, Lasley (6.21.24)	
124	J. Torres Direct Examination, Lasley (5.17.24)	AT&T Mobility Records (Nicholas Salzano Calls)
132	J. Torres Direct Examination, Lasley (5.17.24) W. Waldie Direct Examination, Lasley (5.20.24)	Email from Javier Torres to Graham Keenan re Fwd: Additional Financial Podcasts
133	J. Torres Direct Examination, Lasley (5.17.24) W. Waldie Direct Examination, Lasley (5.20.24)	Email from Javier Torres to Graham Keenan Re: [EXTERNAL] NRIA spot.
134	J. Torres Direct Examination, Lasley (5.17.24)	Media Effective April/May 1010 WINS Invoices
135	J. Torres Direct Examination, Lasley (5.17.24)	Javier Torres v. Investors Bank, Complaint and Jury Demand, Case No. 2:15-cv-01637-JMV-MF, U.S. District Court for the District of New Jersey
136	J. Torres Direct Examination, Lasley (5.17.24)	Investors Bank v. Javier Torres, Case No. SWC F-001463-15, Bergen County, Docket
138	J. Torres Re-Direct Examination, Lasley (5.17.24)	Satisfaction of Mortgage recorded on 3/24/2022, Instrument No. 2022035174, Bergen County Clerk

<i>Index of Defendants' Exhibits</i>		
Exhibit No.	Authentication	Description
1		Joint Stipulation of Facts Regarding Preliminary Injunction Hearing
2	J. Torres Direct Examination, Lasley (4.10.24, 05.17.24)	Javier Torres Declaration

<i>Index of Defendants' Exhibits</i>		
Exhibit No.	Authentication	Description
3 & 3-A	E. Arend Direct Examination, George (4.10.24) E. Arend Cross Examination, Lasley (4.10.24)	Erin Arend Declaration; Updated resume of Erin Arend
11 ¹	W. Waldie Cross Examination, George (5.20.24)	Declaration of Glenn La Mattina
30	J. Torres Cross Examination, George (5.17.24)	Email from Katey Kana re South Asia TV and Radio 2021
44	J. Torres Cross Examination, George (5.17.24)	Email from Nicholas Salzano to Javier Torres re South Asia marketing
57	E. Arend Direct Examination, George (4.10.24) E. Arend Cross Examination, Lasley (4.10.24) A. Solk Direct Examination, Arras (5.20.24)	Email from Kevin Mannix to Javier Torres RE: Historical Card Rates
58	E. Arend Direct Examination, George (4.10.24) (6.21.24) E. Arend Cross Examination, Lasley (4.10.24)	Vivvix Report re Fox News

¹ Defendants' Exhibit 11 is the only exhibit herein subject to objection. All other exhibits listed are jointly agreed to be admitted into evidence by the Parties. The Liquidation Trustee objects to the admissibility of Defendants' Exhibit 11 on the following grounds:

- (1) The Liquidation Trustee withdrew the declaration of Glenn La Mattina, making that declaration irrelevant;
- (2) Now that both the Plaintiff and Defendants' have rested their cases, subject to the admitting of exhibits and closing arguments, Defendants' Exhibit 11 was only used with Mr. Waldie on cross-examination and not properly authenticated. As Mr. Waldie testified, "I still haven't looked at his declaration," demonstrating that Mr. Waldie had no personal knowledge of the document put in front of him and proper foundation was not laid to authenticate the document for it to be admissible. See Prelim. Inj. Hr'g Tr., 5/20/24, 38:17. Mr. Waldie went on to testify regarding that exhibit, "I've seen the statement for the first time today. I have not read this declaration." *Id.* at 41:11-12; and
- (3) Defendants never called Mr. La Mattina as a witness at the preliminary injunction hearing, and the exhibit is, therefore, hearsay.

The Torres Defendants aver that the Declaration, submitted under penalty of perjury, was filed On January 17, 2024 in connection with the Motion of the Torres Defendants to Dissolve the TRO, is self-authenticating under 28 U.S.C § 1746, was relied upon by the Court on the hearing on the Motion to Dissolve the TRO, is part of the record in this case and may be admitted or judicially noticed.

<i>Index of Defendants' Exhibits</i>		
Exhibit No.	Authentication	Description
	A. Solk Direct Examination, Arras (5.20.24)	
62	A. Solk Cross Examination, George (5.20.24) A. Solk Re-Direct Examination, Arras (5.20.24) P. Golaszewski Cross Examination, George (5.20.24)	Email from Katey Kana re Lou Dobbs Script #3
63	A. Solk Cross Examination, George (5.20.24)	Email from Katey Kana to P. Golaszewski re Dobbs
64	P. Golaszewski Cross Examination, George (5.20.24)	Email from Nicholas Salzano re Dobbs
65	A. Solk Cross Examination, George (5.20.24)	Email from Nicholas Salzano re Dobbs 12 percent
68	A. Solk Cross Examination, George (5.20.24)	Email from Nicholas Salzano re Need a rush favor
88	W. Waldie, Direct and Re-Direct Examination, Lasley (5.20.24) W. Waldie Cross Examination, George (5.20.24) P. Golaszewski Direct Examination, Lasley (5.20.24)	Email from Katey Kana to Glenn La Mattina and Nicholas Salzano dated June 19, 2020 Re: ANSWERS : Questions for review
97	P. Golaszewski Cross Examination, George (5.20.24)	Email from Nicholas Salzano re Private: Javiers VS Tanvis Confirmed Willow 2020 Cricket Deal – Our Internal Analysis
105	P. Golaszewski Cross Examination, George (5.20.24)	NRIA Script (21 percent)
106	P. Golaszewski Cross Examination, George (5.20.24)	NRIA Script
109	P. Golaszewski Cross Examination, George (5.20.24)	NRIA Script
112	P. Golaszewski Cross Examination, George (5.20.24)	PG Construction webpage, Eldon Road photographs

<i>Index of Defendants' Exhibits</i>		
Exhibit No.	Authentication	Description
125	P. Golaszewski Cross Examination, George (5.20.24)	P. Golaszewski's LinkedIn page

Jointly submitted and agreed to by:

Dated: July 10, 2024

ICE MILLER LLP

/s/ Louis T. DeLucia

Louis T. DeLucia
Alyson M. Fiedler
1500 Broadway, Suite 2900
New York, NY 10036
Phone: (212) 835-6312
louis.delucia@icemiller.com
alyson.fiedler@icemiller.com

Aneca E. Lasley (admitted pro hac vice)
John C. Cannizzaro (admitted pro hac vice)
Erica L. Arras (admitted pro hac vice)
250 West Street, Suite 700
Columbus, Ohio 43215
Phone: (614) 462-1085
aneca.lasley@icemiller.com
john.cannizzaro@icemiller.com
erica.arras@icemiller.com

*Counsel to AIRN Liquidation Trust Co., LLC,
in its capacity as Liquidation Trustee of the
AIRN Liquidation Trust*

**OBERMAYER REBMANN MAXWELL &
HIPPEL LLP**

/s/ Edmond M. George (per e-mail authority)

Edmond M. George
1120 Route 73, Suite 420
Mount Laurel, NJ 08054
Phone: (856) 795-3300
edmond.george@obermayer.com

Michael D. Vagnoni (admitted pro hac vice)
Kelsey V. Sheronas (admitted pro hac vice)
1500 Market Street, Suite 3400
Philadelphia, PA 19102
michael.vagnoni@obermayer.com
kelsey.sheronas@obermayer.com

*Counsel to Defendants Javier Torres, Media
Effective, LLC, Dora Dillman, Javier Torres,
Jr., Natalia Torres, and Pauline Torres*

CERTIFICATE OF SERVICE

I HEARBY CERTIFY on July 10, 2024, I filed the foregoing with the Court by uploading to the CM/ECF system for the United States Bankruptcy Court for the District of New Jersey and that a true and correct copy was served as indicated on all counsel of record via Notice of Electronic Filing.

ICE MILLER LLP

By: /s/ Louis T. DeLucia

1500 Broadway, Suite 2900
New York, NY 10036
Telephone: (212) 835-6312

*Counsel to AIRN Liquidation Trust Co.,
LLC, in its capacity as Liquidation Trustee
of the AIRN Liquidation Trust*